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STATE OF ILLINOIS
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COMMERCE COMMISSION
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CHIEF CLERK'S OFFICE

PATRICIA O'DONNELL,
Complainant,

vs.

THE PEOPLES GAS LIGHT AND
COKE COMPANY
Respondent.

No. 03-0246

**APPLICATION FOR THE ISSUANCE OF A
SUBPOENA DUCES TECUM**

NOW COMES the Respondent, THE PEOPLES GAS LIGHT AND COKE COMPANY ("Peoples Gas") by and through one of its attorneys, BRIAN J. McCARTHY, and pursuant to 220 ILCS 5/10-101 (1993), and 83 Ill. Admin. Code § 200.380, moves this Honorable Commission for the issuance of a subpoena duces tecum directing the keeper of the business records of Commonwealth Edison Company to produce the following at the offices of The Peoples Gas Light and Coke Company, 130 E. Randolph, 23rd floor, Chicago, Illinois, before noon on the 30th day of September, 2003:

The names of the customers of record for Commonwealth Edison Company at 5729 West Addison Street, Apt 1, Chicago, Illinois 60634, between the dates of January 2000 and May of 2002, and the dates that such persons were customers. In addition, please produce copies of records showing the electricity consumption by such customers during that period.

In support of the Application for the Issuance of a Subpoena Duces Tecum, Respondent states as follows:

1. Patricia O'Donnell ("Complainant") has filed a formal complaint alleging that Peoples Gas has improperly charged Complainant for gas usage at 5729 West Addison Street, Apt 1.

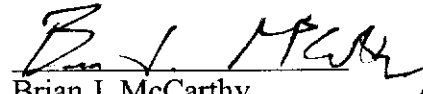
2. Peoples Gas and the Complainant believe that requested from Commonwealth Edison may produce information that will enable the parties to resolve, prosecute or defend the complaint.

3. The issuance of a subpoena is reasonably required to obtain the information sought because the keeper of the records for Commonwealth Edison Company will not produce its business records or testify without being served with a subpoena.

WHEREFORE, the Respondent requests that a subpoena in the form attached hereto be duly issued upon the Commonwealth Edison Company.

Respectfully submitted,

By:


Brian J. McCarthy
An Attorney for The Peoples
Gas Light and Coke Company

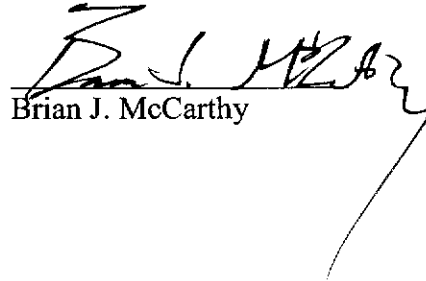
Matthew Greene
Brian McCarthy
The Peoples Gas Light and Coke Company
130 East Randolph Drive, 23rd Floor
Chicago, Illinois 60601

Dated this 26th day
of August, 2003.

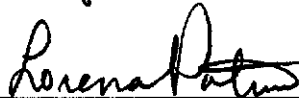
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

VERIFICATION

I, Brian J. McCarthy, being first duly sworn upon oath, depose and say that I have read the above and foregoing Application for the Issuance of a Subpoena Duces Tecum by me subscribed and know the contents thereof; and that said contents are true in substance and in fact.

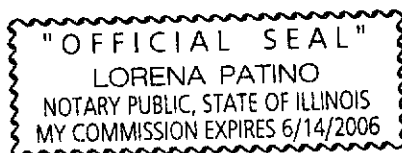

Brian J. McCarthy

SUBSCRIBED AND SWORN
before me this 21st day
of August, 2003.



Notary Public in and for
the County of Cook,
Illinois

My Commission Expires: 6/14/06

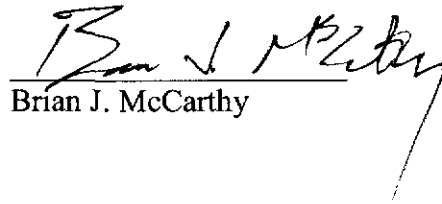


CERTIFICATE OF SERVICE

I hereby certify that I have this day served this Application for the Issuance of a Subpoena Duces Tecum by causing a copy to be placed in the United States mail with first class postage affixed, addressed to the Complainant and the Administrative Law Judge in Docket No. 03-0246 and to:

Keeper of the Records
Commonwealth Edison Company
C/O Sabrina Copeland
10 South Dearborn Street, 35th Floor
Chicago, Illinois 60603

Dated at Chicago, Illinois this 21st day of August, 2003.


Brian J. McCarthy

Brian J. McCarthy
An Attorney for The Peoples
Gas Light and Coke Company